IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3058 OF 2007

Kum.Anuradha Abhijeet Yadav. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

A.M.Saraogi for the applicant.

Ms.M.H.Mhatre, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 27th September 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with CR.No.71/2007 registered with Kasara Police Station, Kasara for the offences punishable under sections 302, 394 read with section 34 of Indian Penal Code.

3. The applicant appears to have been arrested on suspicion. She is in custody for more than four months. Nothing incriminating could be recovered or found against her. No progress is made to find out

real culprit. There is no substantive material at this stage to connect the applicant with the offence alleged. This is a submission advanced by Mr.Saraogi, learned counsel for the applicant. The learned A.P.P., appearing for the State, fairly submits that, at this stage, apart from the suspicion there is no material against the present applicant. In these circumstance, the applicant is entitled to be released on bail. I am inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with CR.No.71/2007 registered with Kasara Police Station, Kasara shall be enlarged on bail in the sum of Rs.10,000/- with one surety to make up the said amount.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Friday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential

address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

4. Application stands disposed of accordingly.

JUDGE